REGULAR COUNCIL

MINUTES

Meeting #:	**C-06/2021 - Regular Council**
Date:	**Tuesday, April 6, 2021**
Time:	**5:30 PM**
Location:	**Town of Pelham Municipal Office - Council Chambers** **20 Pelham Town Square, Fonthill**
Members Present:	**Marvin Junkin** **Lisa Haun** **Bob Hildebrandt** **Ron Kore** **Wayne Olson** **John Wink**
Regrets	**Marianne Stewart**
Staff Present:	**David Cribbs** **Nancy Bozzato** **Bob Lymburner** **Jason Marr** **Teresa Quinlin** **Vickie vanRavenswaay** **Barbara Wiens** **Holly Willford**
Other:	**R. Cook** **R. Salewytsch, Item 4.2.1**

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1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:30 p.m.

2. Approval of Agenda

Moved By Bob Hildebrandt
Seconded By Wayne Olson

BE IT RESOLVED THAT the agenda for the April 6, 2021 Regular meeting of Council be adopted, as amended to postpone

consideration of Item 14.2, and noting that the Mayor intends to bring a Notice of Motion, Item 14.3.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

3. Disclosure of Pecuniary Interests and General Nature Thereof

Councillor Wink noted that he has previously declared a pecuniary interest as it related to matters concerning Mountainview Homes, given that a principal of that corporation was a donor to his election campaign. However, given that the individual has now retired from this organization, Councillor Wink no longer has a conflict. This was confirmed with the Integrity Commissioner.

4. Hearing of Presentation, Delegations, Regional Report

4.1 Presentations

4.1.1 COVID-19 Pandemic Update - CEMC

Fire Chief and Community Emergency Management Co-Ordinator presented updated information as it relates tot he ongoing worldwide pandemic, COVID-19. He specifically highlighted the current strain on the Ontario Hospital system due to this virus.

Moved By Ron Kore
Seconded By John Wink

BE IT RESOLVED THAT Council receive the COVID-19 update presentation from B. Lymburner, Fire Chief and Community Emergency Management Co-Ordinator, for information.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	

Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

4.1.2 COVID-19 Pandemic Update - CAO

The CAO noted that the Meridian Community Centre is now set up and ready to serve as an inoculation site on April 8th. Further, he reported that due to the closure of the MCC two members of staff have been laid off and others will continue with digitizing corporate records. It was noted that while the Meridian Community Centre is closed for programs and activities, it will be open as a vaccination site as scheduled by Niagara Public Health.

Moved By John Wink
Seconded By Lisa Haun

BE IT RESOLVED THAT Council receive the COVID-19 update presentation from D. Cribbs, Chief Administrative Officer, for information.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

4.2 Delegations

4.2.1 Regional Transit

Mr. Robert Salewytsch, Program Manager, Transit Services presented information as it relates to the Niagara Region Transit On Demand Pilot

Renewal. He provided updated statistics as they relate to Pelham ridership.

Moved By Wayne Olson
Seconded By John Wink

BE IT RESOLVED THAT Council receive the delegation from Mr. Robert Salewytsch, Program Manager - Transit Services regarding the Niagara Region Transit On Demand Pilot Renewal, for information;

AND THAT Council approve the renewal of the Region - Town service partnership for year 2 of the Region's "On-Demand" pilot program with Via Mobility.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

4.3 Report of Regional Councillor

No report.

5. Adoption of Minutes

Moved By Bob Hildebrandt
Seconded By John Wink

BE IT RESOLVED THAT the following minutes be adopted as printed, circulated and read:

1. C05/2021 - Council Minutes - March 22, 2021

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	

Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

5.1 C05/2021 - Council Minutes - March 22, 2021

6. Business Arising from Council Minutes

6.1 Mountainview Letter - Park Place South Development

Staff was provided guidance as to what additional information to include in the staff report.

Moved By Wayne Olson
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive correspondence from Mountainview Building Group dated March 26, 2021, regarding the Park Place South Development application 26T19-02-2020 and AM-08-20;

AND THAT Council refer the matter back to staff for further review specifically as it pertains to the construction of eight-unit back-to-back townhouse development;

AND THAT Council direct staff to provide an up-date report based on the concept drawings appended to this correspondence.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

7. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration

Item 8.5.1 - Town of Brock Resolution was lifted for separate consideration.

8. Consent Agenda Items to be Considered in Block

Moved By Ron Kore
Seconded By John Wink

BE IT RESOLVED THAT the Consent Agenda items as listed on the April 6, 2021 Council Agenda be received and the recommendations contained therein be approved, as applicable:

- -

8.4 Action Correspondence of a Routine Nature

8.4.1 Proclamation Request - Pitch in Week

BE IT RESOLVED THAT the Corporation of the Town of Pelham hereby proclaim April 18th - 24th, 2021 as PITCH-IN Week.

8.4.2 Proclamation Request - Melanoma and Skin Cancer Awareness Month

BE IT RESOLVED THAT The Corporation of the Town of Pelham hereby proclaim May 2021 as Melanoma and Skin Cancer Awareness Month.

8.5 Information Correspondence Items

~~8.5.1 Town of Brock Resolution re: Cannabis Licencing and Enforcement~~

~~BE IT RESOLVED THAT Council receive correspondence from the Town of Brock regarding Cannabis Licencing and Enforcement, for information.~~ n (lifted for separate consideration)

8.5.2 Norfolk County Resolution re: Carbon Tax

BE IT RESOLVED THAT Council receive correspondence from Norfolk County regarding Carbon Tax, for information.

8.5.3 Regional Report CSD 81-2020 re Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement

BE IT RESOLVED THAT Council receive Regional Report CSD 81-2020 regarding Amending Agreement to the Niagara Region Court Inter-Municipal Agreement, for information.

8.5.4 Annual Report of Integrity Commissioner

BE IT RESOLVED THAT Council receive for information the 2020 Annual Report of the Integrity Commissioner for the Town of Pelham;

AND THAT staff be directed to make the necessary arrangements to conduct an education seminar as outlined therein.

8.5.5 Integrity Commissioner Review Report: IC-12627-0221

BE IT RESOLVED THAT Council receive for information the Integrity Commissioner correspondence, File IC-12627-0221, Town of Pelham File IC-03/2021.

8.5.6 Ontario News Release - Consultation to Strengthen Municipal Codes of Conduct

BE IT RESOLVED THAT Council receive for information the Ontario News Release - Consultation to Strengthen Municipal Codes of Conduct

8.7 Committee Minutes for Information

8.7.1 Pelham Library Board Minutes

BE IT RESOLVED THAT Council receive the Pelham Library Board minutes dated January 27, 2021, for information.

8.7.2 Cannabis Control Committee Minutes

BE IT RESOLVED THAT Council receive the Cannabis Control Committee minutes dated January 20, 2021, for information.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

9. Items for Separate Consideration, if Any

9.1 Town of Brock Resolution re: Cannabis Licencing and Enforcement

Moved By Ron Kore
Seconded By John Wink

BE IT RESOLVED THAT Council receive correspondence from the Town of Brock regarding Cannabis Licencing and Enforcement, for information.

Amendment:
Moved By Bob Hildebrandt
Seconded By Lisa Haun

THAT the motion be amended by replacing the words "for information" with "And that the motion be endorsed and supported".

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

Moved By Ron Kore
Seconded By John Wink

BE IT RESOLVED THAT Council receive correspondence from the Town of Brock regarding Cannabis Licensing and Enforcement;

AND THAT the motion be endorsed and supported.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

10. Presentation & Consideration of Reports

10.1 Reports from Members of Council:

No reports.

10.2 Staff Reports Requiring Action

10.2.1 By-law Enforcement Policy 2021, 2021-0069-Fire Dept

Moved By Bob Hildebrandt
Seconded By Ron Kore

BE IT RESOLVED THAT Council receive Report #2021-0069;

AND THAT Policy #S502-05, By-law Enforcement Policy be submitted for Council approval at their next regular meeting.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

10.2.2 2021 Events and Festivals Update , 2021-0067-Recreation

Moved By Lisa Haun
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report # 2021-0067-Recreation, 2021 Events and Festivals Update; and that recommendations within be accepted:

AND THAT staff be directed to submit two applications for the Reconnect funding opportunity through the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries

AND THAT Council authorize the Clerk to make an application for a Special Occasion Permit for the Summer Chill Series,

AND THAT Council designate the Summer Chill Series as a Municipally Significant Event that will be held in the Peace Park on the following dates:

July 8, 2021 4:00pm-10:00pm Peace Park, Pelham Town Square

July 15, 20214:00pm-10:00pm Peace Park, Pelham Town Square

July 22, 20214:00pm-10:00pm Peace Park, Pelham Town Square

July 29, 20214:00pm-10:00pm Peace Park, Pelham Town Square

August 5, 20214:00pm-10:00pm Peace Park, Pelham Town Square

August 12, 20214:00pm-10:00pm Peace Park, Pelham Town Square

August 19, 20214:00pm-10:00pm Peace Park, Pelham Town Square

August 26, 20214:00pm-10:00pm Peace Park, Pelham Town Square

Sept, 2, 2021 4:00pm-10:00pm Peace Park, Pelham Town Square

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

10.2.3 Pelham Tennis Operations 2021, 2021-0066-Recreation

Moved By Bob Hildebrandt
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2021-0066-Recreation, Pelham Tennis Operations 2021;

AND THAT the Town of Pelham assist both pickleball volunteers and the Pelham Tennis Association in providing programs at the Centennial Park Tennis Court;

AND THAT the following fees, effective immediately, be included in the Town of Pelham user fee guide:
Family Membership $150.00
Single Adult Membership $100.00

Single Student Membership $50.00
Single Senior Membership $50.00
Children (12 years and under) Free
Lesson Fees will be determined based on competitive rates;

AND THAT staff be directed to update the Fees and Charges By-law to reflect these new fees;

AND THAT staff investigate funding opportunities for capital improvements to the tennis courts, due to base failure, resulting in cracking.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

10.2.4 2021 Gypsy Moth Management Program, 2021-0065-Public Works

Moved By Ron Kore
Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive Report #2021-0065, 2021 Gypsy Moth Management Program;

AND THAT the blocks identified in Report #2021-0065 be aerially sprayed for the Gypsy Moth in 2021;

AND THAT Council consider repealing and replacing By-Law 4208(2020) with By-law No.4334(2021) to allow for the implementation of an aerial spray program in 2021;

AND THAT Council approve the use of Zimmer Air Services to conduct the 2021 aerial spray program.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

11. Unfinished Business

11.1 Update Report - Proxy Voting for Members of Council, 2021-0064-Clerks

Moved By John Wink
Seconded By Wayne Olson

BE IT RESOLVED THAT Council receive Report #2021-00064, Update Report – Proxy Voting for Members of Council;

AND THAT Council further receive Report 2021-0001, consideration of Procedure By-law Amendment, Proxy Voting for Absent Municipal Council Members, Bill 197, attached as Appendix 1, which was referred to a future meeting;

AND THAT Council not proceed with amendments to the Procedure By-law to permit Proxy Voting by Members of Council.

	For	Against
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

12. New Business

None

13. Presentation and Consideration of By-Laws

Moved By John Wink
Seconded By Lisa Haun

THAT consideration of proposed By-law 4336(2021) as it relates to File AM-08-20, Mountainview Homes (Niagara) Ltd. be referred back to staff, to be presented at a future Council meeting once a recommendation relating to this proposed development has been adopted.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

Moved By Bob Hildebrandt
Seconded By Lisa Haun

BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-laws do now read a first, second and third time and do pass same, and

THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-laws:

1. By-law 4333(2021) - Being a by-law to amend By-law #4068(2019) confirming various appointments to Boards, Commissions, and Committees of the Town of Pelham; And to remove and appoint members to the Pelham Public Art Committee (Schedule O).

2. By-law 4334(2021) - Being a by-law authorizing the implementation of a 2021 spray program respecting the gypsy moth, and to Repeal and Replace By-Law 4208(2020)

3. By-law 4335(2021) - Being a by-law to amend Zoning By-law 1136 (1987), as amended, for lands located at 855 Chantler Road (north side of Chantler Road lying west of Church Street), legally described as Concession 12 and Part of Lot 17 in the Town of Pelham. The Zoning By-law Amendment rezones the lands from the Agricultural (A) zone to the following site-specific zones: Agricultural – 304 (A-304) & Agricultural – 305 (A-305). Joyce and John Sonneveld, File No. AM-01-2021

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

14. Motions and Notices of Motion

14.1 Motion Re: Snow Clearing on Paved Portion of Steve Bauer Trail, Line Avenue to Port Robinson Road

Mayor Junkin vacated the Chair to present this motion. Deputy Mayor Hildebrandt presided.

Moved By Marvin Junkin
Seconded By Wayne Olson

WHEREAS Council for the Town of Pelham recently approved hard surfacing along the Steve Bauer Trail between 1106 Line Avenue and Port Robinson Road,

AND WHEREAS it is recognized that the Minimum Maintenance Standards (MMS) and Pelham's Winter Operations Policy provide that paved sidewalks and multi-use paths are cleared of snow and ice, however due to the fact that the Steve Bauer Trail is a recreation trail that is not maintained during the winter months as noted in the Staff Report #2020-0080, winter maintenance has not been undertaken during the 2020-2021 winter season;

AND WHEREAS this hard surfaced area of the Steve Bauer Trail between 1106 Line Avenue and Port Robinson Road has

experienced a significant increase in multi-use participants since the paving has been completed;

NOW THEREFORE BE IT RESOLVED THAT Staff be directed to provide a report outlining the estimated additional costs that would be associated with including this portion of the Trail in the contract for sidewalk and multi-use path snow clearing as part of the 2022 budget;

AND THAT the report be provided for Council's consideration prior to the 2022 budget deliberations.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

14.2 Motion Re: Request to Region of Niagara to Delay Official Plan Update

Due to the absence of Councillor Stewart, this motion will be postponed for consideration at the next meeting, scheduled for April 19, 2021 in accordance with the Procedure By-law.

14.3 Notice of Motion: Mayor Junkin

The Mayor advised of his intention to bring a motion to the April 19th meeting which will request a staff report determining the cost and methods available for erosion control as it pertains to the headwaters of the 12 Mile Creek, north of Regional Road 20 as a result of the Stormwater Pond at the corner of Rice Road and Regional Road (Highway) 20.

14.4 Notice of Motion: Councillor Haun

Councillor Haun advised of her intention to bring a motion to the April 19th meeting requesting that Council rescind the previous Council's motion to upload the Niagara Central Dorothy Rungeling Airport to the Region of Niagara.

Mayor Junkin resumed the Chair at this point in the meeting.

15. Matters for Committee of the Whole or Policy and Priorities Committee

None

16. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee

None

17. Resolution to Move in Camera

No closed session scheduled.

18. Rise From In Camera

Not applicable

19. Confirming By-Law

Moved By Ron Kore
Seconded By Lisa Haun

BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:

Being a By-law No. 4337(2021) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 06th day of April, 2021.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

20. Adjournment

The Mayor, on behalf of the Town of Pelham, thanked Town Clerk, Nancy Bozzato, for her service to the Town of Pelham for more than 20 years and Niagara for the past 40. Ms. Bozzato will retire from civil service in the coming weeks, this being her final meeting of Council. Ms. Bozzato was presented flowers and a gift to celebrate this milestone event.

Moved By Wayne Olson
Seconded By Ron Kore

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for April 19, 2021 at 5:30 pm.

	For	**Against**
Marvin Junkin	X	
Lisa Haun	X	
Bob Hildebrandt	X	
Ron Kore	X	
Wayne Olson	X	
John Wink	X	
Results	**6**	**0**

Carried (6 to 0)

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Mayor: Marvin Junkin

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Town Clerk: Nancy J. Bozzato